

AMENDED IN SENATE JUNE 9, 2009

AMENDED IN ASSEMBLY MAY 18, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 234

Introduced by Assembly Member Huffman

February 5, 2009

An act to add Chapter 5.6 (commencing with Section 25460) to Division 15 of the Public Resources Code, relating to energy, and declaring the urgency ~~therefor~~ *thereof*, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 234, as amended, Huffman. Energy: water use and energy efficiency projects: federal stimulus funds.

Existing law establishes various programs to provide financial assistance to public and private entities to improve their energy efficiency.

This bill would require the State Energy Resources Conservation and Development Commission, as a part of the implementation of funding received under the federal American Recovery and Reinvestment Act of 2009, pursuant to the federal State Energy Program and the federal Energy Efficiency and Conservation Block Grant Program, to coordinate with the Department of Water Resources and the State Water Resources Control Board to identify opportunities to fund energy efficiency actions

that ~~also may~~ *may also* result in reduced water use. The bill would impose requirements for the commission's guidelines for disbursement of the federal stimulus funds. The bill would require that water and energy efficiency programs and projects proceed only to the extent they do not impair the commission's ability to meet the federal deadlines for expenditure of federal stimulus funds provided by the act pursuant to the 2 specified federal programs.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5.6 (commencing with Section 25460)
2 is added to Division 15 of the Public Resources Code, to read:

3
4 CHAPTER 5.6. WATER USE AND ENERGY EFFICIENCY
5 ASSISTANCE

6
7 25460. The Legislature finds and declares all of the following:

8 (a) The commission is expected to receive hundreds of millions
9 of dollars from the federal American Recovery and Reinvestment
10 Act of 2009 (Public Law 111-5) for ~~energy-related~~ *energy-related*
11 activities including energy efficiency programs and projects.

12 (b) Water use requires significant amounts of energy.
13 Approximately one-fifth of the electricity and one-third of the
14 ~~nonpower plant~~ *nonpowerplant* natural gas consumed in the state
15 are associated with water delivery, treatment, and use.

16 (c) Greenhouse gas emissions can be reduced if we move, treat,
17 and use water more efficiently.

18 (d) The Public Utilities Commission and the commission have
19 researched the energy saving potential associated with water use
20 efficiency programs.

21 25460.5. For the purposes of this chapter, the following terms
22 have the following meaning:

23 (a) "Federal stimulus funds" means moneys received by the
24 state under the federal American Recovery and Reinvestment Act
25 of 2009 (Public Law 111-5), pursuant to the federal State Energy

1 Program and the federal Energy Efficiency and Conservation Block
2 Grant Program.

3 ~~(b) “Local water supplier” means a local retail or wholesale~~
4 ~~public agency or private company supplying or storing water, or~~
5 ~~a mutual water company.~~

6 *(b) “Local water entity” means a city, county, special district,*
7 *water corporation, or a mutual water company that has as its*
8 *primary function the treatment or distribution of water or*
9 *groundwater replenishment of water for municipal, industrial, or*
10 *agricultural purposes.*

11 25461. (a) The Legislature, by enacting this chapter, intends
12 to establish guidance for implementation of federal stimulus funds,
13 in order to maximize the benefits and encourage the integration
14 of water and energy efficiency programs.

15 (b) As part of the administration of the federal stimulus funds
16 received by the commission, the commission shall coordinate with
17 the Department of Water Resources and the State Water Resources
18 Control Board to identify opportunities to fund energy efficiency
19 actions that ~~also may~~ *may also* result in reduced water use.
20 Coordination may include, but is not limited to, sharing information
21 on areas to target, prioritizing actions, and advising on
22 implementation.

23 (c) To the extent authorized by federal law, the commission’s
24 guidelines for disbursement of the federal stimulus funds shall do
25 all of the following:

26 (1) Include both of the following as eligible projects:

27 (A) Water use efficiency and water recycling projects that also
28 provide energy savings. These projects may include, but shall not
29 ~~be limited to, appliance and toilet retrofit and installation of~~
30 ~~recycled water pipes for commercial, institutional, or industrial~~
31 ~~water sectors.~~ *be limited to, implementation of water conservation*
32 *measures, including building and landscape retrofits, diversion*
33 *or collection of stormwater for groundwater recharge, or the*
34 *installation, expansion, or improvement of recycled water systems*
35 *for agricultural, municipal, or industrial purposes.*

36 (B) Job training programs, including, but not limited to, water
37 and energy efficiency training for plumbers, *landscape*
38 *professionals, and agricultural irrigation managers.*

39 (2) Include in the calculation of energy savings for water use
40 efficiency and recycling projects, the energy savings associated

1 with the reduced treatment, reduced distribution and pumping, and
2 reduced urban or agricultural use of water.

3 (3) Provide opportunities for water and energy efficiency
4 projects to be cost-shared with local water-suppliers *entities*.

5 (4) Include local water-suppliers *entities* as eligible applicants.

6 (5) *Allocate at least one-half of the federal energy efficiency*
7 *stimulus funds received as grants.*

8 (d) Water and energy efficiency programs and projects shall
9 proceed only to the extent they do not impair the commission's
10 ability to meet the federal deadlines for expenditure of federal
11 stimulus funds.

12 (e) This section applies only to federal stimulus funds received
13 under the federal American Recovery and Reinvestment Act of
14 2009 (Public Law 111-5), pursuant to the federal State Energy
15 Program and the federal Energy Efficiency and Conservation Block
16 Grant Program.

17 25462. This chapter does not imply that spending energy
18 efficiency funds on water efficiency programs should be done with
19 nonstimulus, ratepayer funds.

20 SEC. 2. This act is an urgency statute necessary for the
21 immediate preservation of the public peace, health, or safety within
22 the meaning of Article IV of the Constitution and shall go into
23 immediate effect. The facts constituting the necessity are:

24 To expedite the use of federal stimulus funds received under the
25 American Recovery and Reinvestment Act of 2009 (Public Law
26 111-5) pursuant to the federal State Energy Program and the federal
27 Energy Efficiency and Conservation Block Grant Program for
28 energy efficiency actions that also may result in reduced water
29 use, and to maximize the benefits and encourage the integration
30 of water and energy efficiency programs for the protection of the
31 public health, safety, and the environment, it is necessary for this
32 measure to take effect immediately.